

EXHIBIT "E"

At an I.A.S. Trial Term, Part of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse, located at Civic Center, Borough of Brooklyn, City and State of New York, on the 11th day of November 2007

P R E S E N T :

Hon. DAVID I. SCHMIDT
Justice

BOOR

Plaintiff(s)

Cal. No.

Index No.

8302/05

- against -

BNC MORTGAGE, INC.,

Defendant(s)

Papers Numbered

The following papers numbered 1 to read on this motion

Notice of Motion - Order to Show Cause
and Affidavits (Affirmations) Annexed

Answering Affidavit (Affirmation)

Reply Affidavit (Affirmation)

Affidavit (Affirmation)

Pleadings - Exhibits

Stipulations - Minutes

Filed Papers

Upon defendant BNC Mortgage, Inc.'s ("BNC") order to show cause dated October 29, 2007, the supporting papers annexed thereto, and the Affirmation of plaintiff's attorney submitted in opposition to the motion, and third-party defendant Matteo Patisso's failure to oppose the motion or appear on the return date:

1. BNC's motion against Patisso is granted to the extent that, within 30 days hereof, Patisso will provide all further documents responsive to BNC's requests, in his possession, custody or control, or an affidavit that there are no such documents, and shall submit to an FBI in that time frame.

2. ~~Patisso is granted~~ In the event that plaintiffs are successful at trial, BNC shall be entitled to an equitable lien on 483 Beverman Street, Brooklyn, New York (Block 4454, Lot 52) in the amount of \$26,831.84, plus interest at 9% per annum from February 24, 2004.

For Clerks use only

MG

MD

Motion Seq. #

plaintiff's attorney serve, submit for their opposition by

by mail on or before 12/3/07, & BNC may reply

by mail on or before 12/3/07

5. The trial is adjourned.

ENTER

HON. DAVID I. SCHMIDT